

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI  
SOUTHERN DIVISION**

**ARLENE LOUISE PERKINS  
and RICHARD PERKINS**

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**PLAINTIFFS**

**v.**

**CAUSE NO. 1:07cv1185 LG-RHW**

**UNITED STATES OF AMERICA  
and ASHBRIIT, INC.**

**DEFENDANTS**

**JUDGMENT**

This matter having come on to be heard on the Motion [38] for summary judgment or to dismiss for lack of subject matter jurisdiction pursuant to FED. R. CIV. P. 12(b)(1) filed by the Defendant, Ashbriit, Inc., the Court, after a full review and consideration of the Motion, Response, the pleadings on file and the relevant legal authority, finds that in accord with the memorandum opinion and order entered herewith,

**IT IS ORDERED AND ADJUDGED** that judgment is rendered in favor of the Defendant, Ashbriit, Inc., pursuant to FED. R. CIV. P. 12(b)(1). The Plaintiffs' claims are dismissed for lack of subject matter jurisdiction.

**SO ORDERED AND ADJUDGED** this the 21<sup>th</sup> day of August, 2009.

s/ Louis Guirola, Jr.  
LOUIS GUIROLA, JR.  
UNITED STATES DISTRICT JUDGE